

## **BILL ANALYSIS**

H.B. 2322  
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Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Many non-public schools currently do not participate in University Interscholastic League activities. Interested parties feel that non-public school students should have equal opportunity to compete within the league because such competition can have meaningful influence on college admissions and scholarships. H.B. 2322 seeks to allow private and parochial schools to voluntarily compete with public schools in certain University Interscholastic League activities.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the University Interscholastic League in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 2322 amends the Education Code to require the University Interscholastic League to provide private and parochial schools with equal opportunity to become members of the league for the purpose of providing their students with access to league activities. The bill establishes that its provisions do not exempt a private or parochial school or its students from satisfying each rule or eligibility requirement imposed by the league or statutory provisions relating to extracurricular activities for participating in an activity or league district sponsored by the league.

H.B. 2322 requires a private or parochial school seeking to participate in a league activity or to become a member of a league district to apply to the league on a signed form prescribed by the league. The bill requires the school to certify its eligibility in the application and attach proof of accreditation. The bill prohibits the league from imposing eligibility requirements for private or parochial schools that exceed statutory requirements or league rules for public schools or from requiring proof of eligibility that exceeds the proof required of public schools. The bill requires the league, on approval of an application, to issue a certificate of approval to the applicant school. The bill establishes that the application and certificate of approval are governmental records for purposes of statutory provisions relating to the offense of tampering with a governmental record.

H.B. 2322 requires the league to determine the appropriate league district in which an eligible private or parochial school will participate using the same standard the league applies to public schools, but prohibits the private or parochial school from being placed in a league district lower than the 1A level. The bill authorizes the league to adopt rules designed to discourage an eligible private or parochial school from recruiting any student to attend the school for the purpose of participating in a league activity. The bill prohibits such a rule from being designed to discriminate against an eligible private or parochial school.

H.B. 2322 requires a private or parochial school, in order to be eligible for access to league activities, to be accredited by an accrediting organization recognized by the Texas Education Agency; not to have had its ability or eligibility to participate in an association similar to the

league compromised, revoked, or suspended for violating the rules or codes of that association within the five-year period preceding the date of application to participate in the league; to offer a four-year high school curriculum; to offer interscholastic competition; and to require daily student attendance at a specific location.

H.B. 2322 adds temporary provisions, set to expire September 1, 2015, to require the league to implement the bill's provisions by providing private or parochial schools with equal opportunity to participate in league academic activities beginning with the 2011-2012 school year; league athletic activities at the 1A and 2A league district levels beginning with the spring semester of the 2011-2012 school year; league athletic activities at the 3A league district level beginning with the 2012-2013 school year; league athletic activities at the 4A league district level beginning with the 2013-2014 school year; and league athletic activities at the 5A league district level beginning with the 2014-2015 school year. The bill provides for the definition of "private school" by reference.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.